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The request is granted in part. The parties shall adhere to the deadlines set forth in the Order to Show Cause, which shall be docketed forthwith.

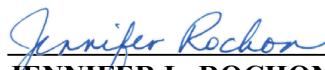
SO ORDERED.

Dated: July 18, 2023

New York, New York

BY ECF

July 18, 2023


JENNIFER L. ROCHON
United States District Judge

The Honorable Jennifer L. Rochon
United States District Court for the Southern District of New York
500 Pearl Street, Room 1920
New York, New York 10007

Re: *Citibank, N.A. v. Aralpa Holdings Limited Partnership et al.*, 1:22-CV-08842 (JLR)

Dear Judge Rochon:

We represent Defendants Aralpa Holdings Limited Partnership and Rodrigo Lebois Mateos (together, “Defendants”) in the above-captioned matter. Defendants submit this letter in connection with Plaintiff Citibank, N.A.’s (“Citibank”) proposed Order to Show Cause in Support of Motion for Prejudgment Attachment (ECF 34) (“Motion”) filed on July 17, 2023. Defendants respectfully request at least 30 days, until August 16, 2023, to file an opposition to the Motion.

There are no exigent circumstances requiring an expedited schedule. To begin, Citibank filed its complaint in October 2022 (ECF 1) and its motion for judgment on the pleadings in December 2022 (ECF 22) without requesting prejudgment attachment.

Citibank now attempts to create a false sense of urgency, citing transfers that occurred months ago of assets Citibank has not even established belonged to Defendants. For example, Citibank cites a real estate transaction in February 2023 as one of Defendant Lebois’ purported steps to liquidate assets. ECF 35 at 8. But Citibank has not demonstrated that Lebois owned the real estate, citing only an unsigned financial statement listing assets of Rodrigo Lebois Mateos and Family. *See* Declaration of Bruno Plotnicki (“Plotnicki Decl.”), Exhibit F (ECF 39-6). And Citibank admits that the proceeds of the sale actually paid off a mortgage owed to Citibank. ECF 35 at 8 n.3.

Citibank also cites the sale of a yacht that was publicly reported at least as of April 2023, and that Citibank also acknowledges is not owned by Defendants. *See* Plotnicki Decl. ¶ 24 and Exhibit I (stating yacht sold “through what I understand to be controlled affiliate entities” of Defendant Lebois) (ECF 39 & 39-9). On July 13, 2023, Citibank demanded the proceeds of the sale be applied to the outstanding loan balance. *See* Declaration of Samuel Rubin, Exhibit 1 (ECF

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36-1). Undersigned counsel responded *the same day* asking the basis for the demand to apply the proceeds to the loan. *Id.* Rather than provide a basis or engage in a dialogue, Citibank used this as a pretense to race to Court and repeat arguments presented in its pending motion for judgment on the pleadings.

Defendants request at least 30 days to submit a fulsome opposition to the Motion. Counsel also requests this time based on other case commitments and travel schedules over the next several weeks.

We thank Your Honor for your consideration of this request.

Respectfully submitted,

/s/ Daniel J. Saval
Daniel J. Saval

*Attorney for Defendants Aralpa
Holdings Limited Partnership and
Rodrigo Lebois Mateos*

cc: All Counsel of Record (by ECF)